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15 IN THE UNITED STATES DISTRICT COURT
16
17 EASTERN DISTRICT OF CALIFORNIA

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20 CARLOS ESCOTO,

21 Case No. 1:07-cv-00472 OWW TAG

22 Plaintiff,

23 v.

24 UNITED STATES OF AMERICA,

25 Defendant.

26
27 UNITED STATES OF AMERICA,

28 STIPULATION TO DISMISS
THIRD-PARTY DEFENDANT
JEFFREY E. AOKI, M.D.
WITH PREJUDICE

28 Third-Party Plaintiff,

29 v.

30 PEACHWOOD MEDICAL GROUP CLOVIS,
31 INC.; DENNIS A. NAKATA, M.D.; JEFFREY
32 E. AOKI, M.D.; DENIS J. HENTRICH, P.A.,

33 Third-Party Defendants.

1 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, third-party
2 plaintiff United States of America and third-party defendants Peachwood Medical Group Clovis,
3 Inc., Dennis A. Nakata, M.D., Jeffrey E. Aoki, M.D., and Denis J. Henrich, P.A., hereby stipulate
4 and agree that third-party defendant Jeffrey E. Aoki, M.D. is dismissed from the third-party action
5 with prejudice.

6 DATED: January 7, 2009

LAWRENCE G. BROWN
Acting United States Attorney

8 By: /s/ Lynn Trinka Ernce
9 LYNN TRINKA ERNCE
Assistant United States Attorney

11 DATED: January 7, 2009

MCCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH, LLP

13 By: /s/ Lawrence Edwin Wayte
14 LAWRENCE EDWIN WAYTE
Attorneys for Third-Party Defendants

16 **IT IS SO ORDERED.**

18 DATED: January 9, 2009

/s/ OLIVER W. WANGER
OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE